

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**Before the Honorable Kirtan Khalsa
United States Magistrate Judge**

Clerk's Minutes

Duran et al. v. Lujan Grisham et al.
Civ. No. 77-721 KK/SCY

Monday, February 3, 2020 at 10:30 a.m.

On the record at ABQ-Hondo_20200203_093901.dcr
Court Reporter: Mary Loughran

PLAINTIFFS' ATTORNEYS PRESENT:

**Alexandra Freedman Smith
Katherine Loewe
Nicholas T. Davis
Peter Cubra
Philip Davis
Mark Donatelli
Reed Bienvenu**

DEFENDANTS' ATTORNEYS PRESENT:

**Jennifer Saavedra
Matthew Garcia**

OTHER PERSONS PRESENT:

Alisha Tafoya Lucero, telephonically

TYPE OF PROCEEDING:

Hearing on Parties' Joint Memorandum in Support of Final Court Approval of the Revised Settlement Agreement (Doc. 3174) and Joint Motion for Final Approval of Revised Settlement Agreement (Doc. 3184)

Total Time – 4 hours 26 minutes

CLERK'S MINUTES:

The Court held a hearing on the record on the parties' Joint Memorandum in Support of Final Court Approval of the Revised Settlement Agreement (Doc. 3174) and Joint Motion for Final Approval of Revised Settlement Agreement (Doc. 3184). As stated on the record, the Court will take the parties' motion and memorandum under advisement pending its consideration of additional materials to be submitted by the parties. By **Monday, February 10, 2020**: (a) Defendants are to file one or more affidavits detailing the steps they took to ensure that members of the Plaintiff class actually received notice of the

proposed settlement as directed by the Court; (b) class counsel are to determine whether any class members who sent unfiled objections to class counsel within the time period for objecting to the proposed settlement wish to have their objections filed, and if so are to file the objections; and, (c) the parties are to file a superseding joint motion for final approval of the proposed settlement, seeking approval of, and attaching, a Revised Settlement Agreement that incorporates the modifications to the agreement to which the parties have agreed since September 5, 2019.